

# THE COMMITTEE SYSTEM OF THE

## **MONTANA LEGISLATURE**

A brief report describing the role of  
committees in the legislative  
process from introduction of  
bills to floor debates.

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## THE COMMITTEE SYSTEM

Have you ever wondered how our 100 state Representatives and 50 state Senators could read and comprehend more than a thousand proposed bills offered each legislative session? Well, the answer is very simple...they don't!

Many legislative sessions ago the leaders of the legislature established what has come to be known as the "Committee System" in response to ever bigger and more complex government.

In general, here is how the committee system works. Legislators, their constituents, state agencies, and the Governor's Office request legislation regarding a myriad of subjects. Through an elaborate process, the legislation is drafted by the Legislative Council according to established rules. Once drafted and signed by the sponsoring legislator, the drafted legislation is now referred to as a bill. The bill is then assigned to a committee of Senators or Representatives.

The assignment to Committee is the responsibility of the presiding officer in each house, i.e. the Speaker of the House of Representatives and the President of the Senate. Currently, there are 16 "standing" committees in each house. Standing committees are committees in each house which will be permanent in the legislative process and which are assigned to hear the many bills based on



the subject of the bill. In addition to standing committees, leaders in each house may cause select and special committees to be formed for specific purposes.

Standing committees are composed of members of each political party based upon party division in each house and special considerations. In the House, these committees usually number 15 to 18 members; in the Senate 7 to 9. Appropriations (House), Finance and Claims (Senate) and Judiciary committees are usually larger in number.

Notice of the time and place for a bill to be heard in committee is given to the media and is posted on official bulletin boards in the Capitol. In addition, committee hearing information is posted electronically on the state bulletin board system which is available at no charge to anyone with a computer and modem. The information is also available on the State of Montana mainframe status system which is available to all state agencies and other subscribers. Any interested person may present written or verbal testimony during a hearing on a bill. Testimony may come from persons interested in the proposed legislation, but most testimony is from lobbyists who represent groups, industries or professional organizations affected by the legislation. Agency personnel testify as to the extent their agency mission might be affected or enhanced.



Committee members encourage the public to give testimony and ask questions of those giving testimony in order to be sure they clearly understand the testimony given. If the committee chair or other members recognize that the proposed legislation is controversial and requires additional time for interested parties to be heard, they may schedule another hearing. The chairman may appoint a sub-committee to resolve disputes. They will report back to the full committee with their recommendation.

When a committee determines that a bill has received sufficient exposure, the members discuss the bill and the testimony and take action. This action, properly termed executive action, may result in motions to pass, pass as amended, do not pass or "table". If a bill is tabled, rules of both houses allow for a motion on the floor of the house of origin to bring the bill directly to the floor for debate on "Second Reading".

Readers should now realize the tremendous volume of work required by legislators to thoroughly scrutinize proposed legislation for probable consequence of actions taken by them. It is simply impossible for any one legislator to totally comprehend positive and negative consequences of passage of proposed legislation. Therefore, they rely heavily on actions taken by the various committees.



One last thing however, must be said. Regardless of the action taken by the various committees, most proposed legislation does come to the floor in either house and may be further debated on second reading. The committee has done the most work and has taken testimony directly from interested parties. They then pass their recommendations on to the floor. All legislators serve on one or more committees. They realize that they must rely on the committee system to produce the best results in our democratic legislative process.

Submitted by Donald L. Coburn, Sr.







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